



**SAN JOSE DOWNTOWN  
ASSOCIATION**

EX PARTE OR LATE FILED

28 N. FIRST ST.  
SUITE 1000  
SAN JOSE, CA 95113  
TEL: 408-279-1775  
FAX: 408-279-1904  
WWW.SJDOWNTOWN.COM

**ORIGINAL  
RECEIVED**

**FEB 27 2003**

**Federal Communications Commission  
Office of Secretary**

February 13, 2003

Honorable Michael Powell  
Chairman, Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20544

RE: CC Docket No. 01-338, Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers

Dear Chairman Powell,

The San Jose Downtown Association (SJDA) is a non-profit membership based organization founded in 1986. SJDA represents over 1,800 small businesses and property owners working to enhance the vitality and livability of downtown San Jose, CA. In order to achieve this, we must identify important issues, establish collaborative efforts in the interest of business and influence the public policy that affects our mission. One such issue, about which I am writing to you today, is unbundling regulation in the telecommunications industry.

It is our hope that the Federal Communications Commission would enact regulations that would add significant value, efficiencies and capabilities to small and large businesses across the U.S. That is why we are supporting the proposals before the FCC that would eliminate unbundled switching and UNE-P.

It is clear that if broadband investment is freed from costly unbundling regulation, we will see a significant increase in the investment and deployment of valuable new technologies.

Further, consider a recent study by the Progress and Freedom Foundation, which found that eliminating the current unbundling regime would result in the creation of more than 1 million new jobs in the communications sector and an increase in capital spending of \$169.5 billion over the next five years.

We hope you will consider these facts and our position before you make a decision at the upcoming Triennial Review.

Thank you,

Scott Knies  
Executive Director  
San Jose Downtown Association

Cc Commissioner Abernathy  
Commissioner Adelstein  
Commissioner Martin  
Commissioner Copps